



THE CITY OF NEW YORK
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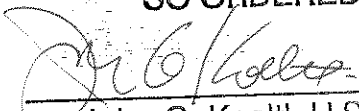
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December 15, 2022

BY ECF

Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

APPLICATION GRANTED
SO ORDERED

12/15/22 
John G. Koeltl, U.S.D.J.

Re: *Polanco v. Porter*, 21-cv-10176 (JGK) (BCM)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, attorney for Defendants New York City Department of Education (“DOE”) and DOE Chancellor David C. Banks in the above-referenced matter. This action concerns an appeal from an administrative decision that denied Plaintiffs’ request for tuition funding at the International Institute for the Brain (iBRAIN), a private school of Plaintiffs’ unilateral choosing, during the Plaintiff-student’s 2020-2021 school year.

I write to respectfully request a two-week extension of time, from December 16, 2022, until December 30, 2022, for Defendants to file their reply papers in further support of their cross-motion for summary judgment. This is Defendants’ second request for an extension of time to file the reply papers, and the Court granted Defendants’ first request. Counsel for Plaintiffs, Rory J. Bellantoni, Esq., consents to this request.

The reason for the requested enlargement is that I was recently out sick for part of the past week and due to professional obligations in other matters, including another emergency application for a temporary restraining order and preliminary injunction in a separate matter, which I was not aware of at the time the briefing schedule was previously set. The requested extension of time, therefore, will enable me to finalize and file the motion papers in this matter.

Accordingly, Defendants respectfully request that the Court grant an extension of time, until December 30, 2022, for Defendants to file their reply papers in further support of their cross-motion for summary judgment.

I thank the Court for its consideration of this request.

Respectfully submitted,

/s/

Philip S. Frank

cc: All counsel of record (via ECF)